

### **Remarks**

In the Office Action dated February 12, 2003, the Examiner objected to the Abstract. The Examiner required restriction under 35 U.S.C. § 121 between claims 1-26 and 38 and claims 27-37. Applicants' Attorney hereby affirms the prior election of the claims of Group 1, claims 1-26 and 38. The Examiner rejected claims 8 and 38 under 35 U.S.C. § 112, second paragraph. The Examiner rejected claims 1-7, 11, 17-19, 21, 22, 24-26 and 38 under 35 U.S.C. § 102 as being anticipated by the patent publication in the name Gau, W001/83674A1. The Examiner rejected claims 1, 3, 5, 10, 20 and 38 under 35 U.S.C. § 102 as being anticipated by the U.S. Patent to Inoue, et al. 5,955,352. The Examiner rejected claims 1, 3, 5-7, 9, 20, 21 and 38 under 35 U.S.C. § 102 as being anticipated by the publication in the name of Gratzl, et al. W098/13675A1. The Examiner indicated that claims 12-16 and 23 were objected to but would be allowable if rewritten in independent form. This has been done. The Examiner also stated that claims 8 and 12-16 would be allowable if rewritten to overcome the Examiner's rejection under 35 U.S.C. § 112, second paragraph.

By this Amendment, Applicants' Attorney has amended the rejected claims of the application to more particularly point out and distinctly claim what Applicants regard as their invention. In particular, many of the claims have been amended to include a membrane limitation which none of the cited references disclose disposed in a three-dimensional, thin film well.

New claims 39-46 are based on prior claims 28 through 35, respectively.

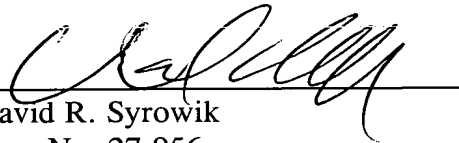
The Abstract has been shortened.

The rejection of the gas sensor of claim 8 under 35 U.S.C. § 112 fails to acknowledge that the gas is dissolved in the liquid being tested by the sensor device. In such cases, one still refers to the gas being sensed because, although disassociated in the liquid, the gas is still said to have a partial pressure that can be measured by the sensor device.

Claim 38 has been canceled.

Consequently, in view of the above and in the absence of better art, Applicants' Attorney respectfully submits the application is in condition for allowance which allowance is respectfully requested.

Respectfully submitted,  
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Date: May 23, 2003

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